

# City of Hampton, VA

22 Lincoln Street  
Hampton, VA 23669  
[www.hampton.gov](http://www.hampton.gov)



## **Council Agenda**

**Wednesday, August 12, 2015**

**6:30 PM**

**Council Chambers, 8th Floor, City Hall**

## **City Council**

***Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Teresa V. Schmidt, Chris Snead, Donnie R. Tuck, George E. Wallace, Mayor***

### ***Staff:***

***Mary Bunting, City Manager***

***Vanessa T. Valdejuli, City Attorney***

***Katherine K. Glass, CMC, Clerk of Council***

Last Published: 8/7/2015 1:41:22 PM

## **WELCOME TO THE HAMPTON CITY COUNCIL MEETING**

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time. From time to time, It may be in the public's interest to change the format and guidelines, and the Council can do so at its discretion without prior notice.

### **THE ORDER OF BUSINESS**

The Council generally conducts meetings in the following order:

- (1) Call to Order
- (2) Ceremonial Matters
- (3) Consent Agenda
- (4) Regular Business Agenda
- (5) Miscellaneous New Business
- (6) Adjournment

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a citizen or a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

### **CITIZENS ARE INVITED TO PARTICIPATE**

The City Council has adopted a three (3) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council, please sign in before the meeting on the sign-up sheet located in the rear of Council Chambers. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. If you wish to address Council on a non-agenda item, the permission of Council is necessary.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add"). Repetition of positions by more than one speaker often uses more time than necessary.

Speakers are generally limited to one appearance, although Council can allow exceptions at its discretion. If possible, you should speak from prepared remarks to the subject under discussion. Irrelevant comments use others' time and your own and detract from your statements on the matter being considered.

Meetings of the Council are formal proceedings, and all comments are recorded on tape and by stenographer. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name and address
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

## CALL TO ORDER/ROLL CALL

## INVOCATION - Councilwoman Teresa Schmidt

## PLEDGE OF ALLEGIANCE TO FLAG

## MAYOR'S COMMENTS

## CONSENT AGENDA

### Consent Items

1. **15-0236** Approval of the minutes from the 9 a.m. and evening sessions of July 8, 2015, and the special meeting of July 15, 2015.
2. **15-0238** Annual Review of the Hampton-Newport News Community Service Board FY 16 Performance Contract
3. **15-0240** Resolution Determining Alvean Lyons, Inc. To Be The Only Source Practicably Available From Which To Procure The Services Of The Families Forward Initiative For Hampton Families And Authorizing The Negotiation And Execution Of A Contract With Alvean Lyons, Inc. As A "SOLE SOURCE"
4. **15-0243** Ordinance to Amend and Reenact Chapter 32.1 of the City Code of the City of Hampton, Virginia Entitled "Solid Waste" to Add New Section 32.1-41, Solid Waste Rate Determination
5. **15-0244** Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the 2015-2016 Comprehensive Community Corrections Act and Pretrial Services Act Grant Funding Program through the Hampton-Newport News Criminal Justice Agency from the Virginia Department of Criminal Justice Services
6. **15-0245** Resolution to Accept and Appropriate Grant Funds Awarded to Hampton Division of Fire and Rescue (HDFR) by the Virginia Office of Emergency Medical Services—Rescue Squad Assistance Fund and Matching Funds from HDFR's Fiscal Year 2016 Operating Budget
7. **15-0251** Resolution Approving Fiscal Year 2015 Fourth Quarter Budget Adjustments.
8. **15-0258** Request for Refunds for Tax Year 2015

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**PRESENTATIONS, PROCLAMATIONS, AWARDS****PUBLIC HEARINGS****Community Plan Amendment**

9. **15-0250** Comprehensive Plan Amendment No. 022-2015 Update of the Transportation section of the Hampton Community Plan (2006 as amended).

**Rezoning**

10. **15-0248** Rezoning Application No. 15-00002: by Shervonne Banks to rezone .2+ acres at 1204 E. Pembroke Ave. (LRSN 12000782) from General Commercial (C-3) District to Neighborhood Commercial (C-1) District without proffered conditions to operate a respite care facility.
11. **15-0252** Ordinance To Amend And Reenact Chapter 3 Of The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Sections 3-2 Entitled, "Table Of Uses Permitted" Pertaining To The Uses Of "Boat Tour/Charter Boat Docking Facility;" "Boathouse, Pier, Dock, Ramp, Commercial (Public Or Private);" And "Marina, Including Boat Sales, Rental, Storage And Fuel."
12. **15-0253** Ordinance To Amend And Re-Enact Article 3 Of Chapter 9 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "O-CC District - Coliseum Central Overlay" By Amending Section 9-23 Pertaining To Modifications to Permitted Uses.
13. **15-0254** Ordinance To Amend And Re-Enact Article 2 Of Chapter 5 Entitled "MD-1 District – Townhouse Multifamily," Article 3 Of Chapter 5 Entitled "MD-2 District – Multifamily Residential," Article 4 Of Chapter 5 Entitled "MD-3 – Multifamily Residential," Article 2 Of Chapter 6 Entitled "C-2 District – Limited Commercial," Article 1 Of Chapter 8 Entitled "Langley Flight Approach Districts," Article 3 Of Chapter 8 Entitled "Buckroe Bayfront Districts," Article 2 Of Chapter 9 Entitled "O-CBP – Chesapeake Bay Preservation Overlay," Article 4 Of Chapter 9 Entitled "O-FZ – Flood Zone Overlay," Article 1 Of Chapter 14 Entitled "Use Permits," And Article 2 Of Chapter 14 Entitled "Rezoning, Conditional Zoning, And Zoning Ordinance Amendments" Of The Zoning Ordinance Of The City Of Hampton, Virginia Pertaining To The Correction Of Erroneous Citations Resulting From The Recodification Of The Zoning Ordinance Approved On March 25, 2015 And Enacted On June 1, 2015.

14. **15-0246** Rezoning Application No. 15-00001: by Todd Center, L.L.C., c/o Tower Park Corporation to rezone 3.13+ acres at 1700 Todds Lane [LRSN 3003904] and a portion of LRSN 3003903 from Limited Commercial (C-2) District to General Commercial (C-3) District with proffers, to facilitate the establishment of a mixed-use development to include: office, retail, and self-storage to create an e-commerce center.

#### **Use Permit**

15. **15-0247** Use Permit Application No. 15-00001: by Todd Center, L.L.C., c/o Tower Park Corporation to operate the self-storage component of the proposed mixed-use development to include office, retail, and self-storage for the establishment of an e-commerce center.
16. **15-0249** Use Permit Application No. 15-00010: by Hampton University for a university use at 65 Marshall Avenue on Hampton Universities main campus [LRSN 12001034].

#### **Ordinances**

17. **15-0241** Ordinance Authorizing the Transfer of City Property Located at 17 Freeman Drive, Containing a Parcel for Pump Station 119 (LRSN 13001523), Comprising 2,500 Square Feet (0.0574 Acre), More or Less, and the Remaining Parcel at 17 Freeman Drive (LRSN 7000111), Comprising 12,508 Square Feet (0.2871 Acre), More or Less, from the City of Hampton to Hampton Roads Sanitation District

### **GENERAL ITEMS**

#### **Appointments**

18. **15-0257** to consider an appointment to the Peninsula Town Center Community Development Authority
19. **15-0259** to consider an appointment to the Building Code Board of Appeals

### **REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES**

### **MISCELLANEOUS NEW BUSINESS**

### **PUBLIC COMMENT**

### **ADJOURNMENT**

**Contact Info:**

**Clerk of Council, 757-727-6315, [council@hampton.gov](mailto:council@hampton.gov)**